

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JUAN RODRIGUEZ,  
aka Juan Rodriguez-Lopez

Defendant.

2:09-CR-262-JCM (RJJ)

**PRELIMINARY ORDER OF FORFEITURE**

This Court finds that on December 9, 2010, defendant JUAN RODRIGUEZ aka Juan Rodriguez-Lopez was found guilty on Counts One through Three of a Three-Count Fourth Superseding Criminal Indictment charging him in Count One with Conspiracy to Distribute Methamphetamine, in violation of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(A)(viii), and 846; in Count Two with Possession of a Firearm in Furtherance of a Drug Trafficking Crime, in violation of Title 18, United States Code, Section 924(c)(1)(A)(i); and in Count Three with Felon in Possession of a Firearm, in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

This Court finds, pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2), the United States of America has shown the requisite nexus between property set forth in the Forfeiture Allegations of the Fourth Superseding Criminal Indictment and the offense to which defendant JUAN RODRIGUEZ aka Juan Rodriguez-Lopez was found guilty.

1 The following assets are subject to forfeiture pursuant to Title 18, United States Code, Section  
2 924(d)(1), (2)(C), and (3)(B) and Title 28, United States Code, Section 2461(c); Title 21, United  
3 States Code, Section 881(a)(11) and Title 28, United States Code, Section 2461(c); and Title 18,  
4 United States Code, Section 924(d)(1) and Title 28, United States Code, Section 2461(c):

- 5 a. Beretta Cal. .9 short (.380) semi-automatic handgun, bearing serial number  
6 D32470Y; and
- 7 b. any and all ammunition

8 This Court finds the United States of America is now entitled to, and should, reduce the  
9 aforementioned property to the possession of the United States of America.

10 NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the  
11 United States of America should seize the aforementioned property.

12 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED all right, title, and interest of  
13 JUAN RODRIGUEZ aka Juan Rodriguez-Lopez in the aforementioned property is forfeited and is  
14 vested in the United States of America and shall be safely held by the United States of America until  
15 further order of the Court.

16 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the United States of America  
17 shall publish for at least thirty (30) consecutive days on the official internet government forfeiture  
18 website, [www.forfeiture.gov](http://www.forfeiture.gov), notice of this Order, which shall describe the forfeited property, state  
19 the time under the applicable statute when a petition contesting the forfeiture must be filed, and state  
20 the name and contact information for the government attorney to be served with the petition, pursuant  
21 to Fed. R. Crim. P. 32.2(b)(6) and Title 21, United States Code, Section 853(n)(2).


22 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a petition, if any, must be filed  
23 with the Clerk of the Court, 333 Las Vegas Boulevard South, Las Vegas, Nevada 89101.

24 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED a copy of the petition, if any,  
25 shall be served upon the Asset Forfeiture Attorney of the United States Attorney's Office at the  
26 following address at the time of filing:

1 Daniel D. Hollingsworth  
2 Assistant United States Attorney  
3 Michael A. Humphreys  
4 Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Boulevard South, Suite 5000  
Las Vegas, Nevada 89101.

5 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED the notice described herein  
6 need not be published in the event a Declaration of Forfeiture is issued by the appropriate agency  
7 following publication of notice of seizure and intent to administratively forfeit the above-described  
8 property.

9 DATED this 21st day of December, 2010.

10  
11  
12   
13 UNITED STATES DISTRICT JUDGE  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

**PROOF OF SERVICE**

I, Heidi Skillin, certify that the following individuals were served with copies of the Preliminary Order of Forfeiture on December 17, 2010 by the below identified method of service:

Electronic Filing

Michael V. Cristalli  
Cristalli & Saggese, Ltd.  
732 South Sixth Street, Suite 100  
Las Vegas, NV 89101  
mcristalli@cristalli-saggese.com  
*Counsel for Alfonso Rivera-Avalos*

Michael Ryan Pandullo  
815 South Casino Center Boulevard  
Las Vegas, NV 89101  
michaelpandullo@hotmail.com  
*Counsel for Adrian Fuentes-Garcia*

Thomas Ericsson  
7881 W. Charleston Boulevard, Suite 210  
Las Vegas, NV 89117  
tom@silverstatelaw.com  
*Counsel for Juan Rodriguez*

Mace J. Yampolsky  
Mace Yampolsky, LTD  
625 South Sixth Treet  
Las Vegas, NV 89101  
Mace@macelaw.com  
*Counsel for Jose Luis Rubio-Rodriguez*

Michael P. Kimbrell  
Michael P. Kimbrell, LTD  
523 South Eighth Street  
Las Vegas, NV 89101  
mpkimbrell@aol.com  
*Counsel for Adelina Arias*

/s/ HeidiSkillin  
HEIDI SKILLIN  
Forfeiture Support Associate Clerk